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PROVISIONAL VERBATIM RECORD OF THE THIRTY-FIFTH MEETING

Held at Headquarters, New York,
on Thursday, 25 October 1990, at 3 p.m.

President: Mr. de MARCO (Malta)

- Co-operation between the United Nations and the Organization of the Islamic Conference [26]

  (a) Report of the Secretary-General

  (b) Draft resolution

- Co-operation between the United Nations and the League of Arab States [25]

  (a) Report of the Secretary-General

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- Co-operation between the United Nations and the Organization of American States [21]

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(a) Report of the Secretary-General

(b) Draft resolution

- Report of the International Court of Justice [13]

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 26

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE

(a) REPORT OF THE SECRETARY-GENERAL (A/45/526 and Add.1)

(b) DRAFT RESOLUTION (A/45/L.8)

The PRESIDENT: I call on the representative of Egypt, who wishes to introduce draft resolution A/45/L.8.

Mr. GALAL (Egypt) (interpretation from Arabic): It gives me great pleasure, on behalf of the States members of the Organization of the Islamic Conference, to introduce draft resolution A/45/L.8, of 16 October 1990, entitled "Co-operation between the United Nations and the Organization of the Islamic Conference".

It is natural that there should be co-operation between the two organizations and that their co-operation should be strengthened from one day to the next. All the members of the Organization of the Islamic Conference are Members of the United Nations. The principles of Islam which advocate peace among nations and peoples and call for the development of the individual, respect for his dignity and a recognition that he is the corner-stone of society are the very principles enunciated in the Charter, which sets out the guidelines and the approach that the United Nations adopted when it emerged from the agony of the Second World War.

I take this opportunity to express the appreciation of the members of the Organization of the Islamic Conference for the ongoing co-operation between the two organizations in the areas enumerated in document A/45/526/Add.1 and call for more co-cperation in the interest of the States members of both organizations. Let me express our appreciation for the role played in this area by the Secretary-General and his associates.

(Mr. Galal, Egypt)

I wish to draw attention to the fact that the Organization of the Islamic Conference has not lagged behind the emerging world political thinking which is now basing itself on the principles of human rights, individual freedom and the dignity of the individual. Thus, the regular ministerial meeting of the Organization of the Islamic Conference, held at Cairo from 30 July to 4 August 1990, adopted a document containing the Declaration of Human Rights in Islam. The Declaration highlights in legal terms the rights which have been advocated by Islam for centuries even before they were adopted as motto for the United Nations and States of the world in the latter part of the twentieth century.

The Ministers also took unequivocal positions on aggression, the occupation of the territory of others and the violation of the rights of nations and peoples. They addressed the question of co-operation in the economic, political, cultural and social fields.

The delegation of Egypt, current Chairman of the Organization of the Islamic Conference, has conveyed a copy of the Declaration of Human Rights in Islam together with the Conference's resolutions to the United Nations for distribution as official documents of the World Organization so that their contents and the views expressed therein can be of use to all the world's peoples.

The co-ordination meeting of Foreign Ministers of the Organization of the Islamic Conference, held in New York early in October 1990, crystalized the positions of the States members of the Organization of the Islamic Conference on a number of the issues now on the United Nations agenda.

(Mr. Galal, Egypt)

As for the draft resolution before the General Assembly, contained in document A/45/L.8, my delegation does not wish to dwell upon it in detail because it was submitted to the Assembly some time ago. It is similar to the resolution adopted last session. Therefore, and on behalf of all States members of the Organization of the Islamic Conference, I call upon all Members of the United Nations to support the draft resolution, which is designed to promote co-operation between the two organizations, within the limits of their financial resources, for the attainment of their noble objectives. My delegation hopes that the draft resolution will be adopted by consensus.

The PRESIDENT: I call now on the Permanent Observer of the Organization of the Islamic Conference, in accordance with General Assembly resolution 3369 (XXX), of 10 October 1975.

Mr. ANSAY (Organization of the Islamic Conference): It is a privilege for me to address the General Assembly on a matter of particular significance to the Organization of the Islamic Conference and to the United Nations, namely, co-operation between the United Nations and the Organization of the Islamic Conference.

Since this is the first time I have spoken at this session, I should like to begin by congratulating you, Sir, on your election to the high office of President of the General Assembly. Your election is a tribute to your personal qualities and vast experience and to your country.

I should like to take this opportunity to pay a tribute to your predecessor, Mr. Joseph Garba of Nigeria, who served in an exemplary manner as President of the Assembly during its forty-fourth session. I also take this opportunity to express our deep appreciation of the significant contribution being made by the

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(Mr. Ansay, Organization of the Islamic Conference)

Secretary-General, Mr. Javier Perez de Cuellar, to the effectiveness and smooth functioning of the world body, of his devotion to the cause of humanity and peace, and of his untiring efforts to promote a climate of internaticnal peace, security and co-operation.

From the beginning, the Organization of the Islamic Conference has been fully dedicated to the realization of the objectives and principles of the United Nations Charter. The charter of the Organization of the Islamic Conference underlines the determination of its membership of 46 States to make effective contributions towards the enrichment of mankind and the achievement of progress, freedom and justice all over the world by promoting global peace and security. The Organization of the Islamic Conference derives its inspiration from the eternal, noble message of Islam. Its establishment was predicated on the principles of peace and harmony, tolerance, equality and justice for all.

Since its inception in 1969 the Organization of the Islamic Conference has adopted numerous resolutions and declarations both at the summit level and at the level of Foreign Ministers, addressing the issues that confront the Islamic world as well as important global developments related to international peace and security, disarmament, human rights, minorities and decolonization, and issues related to socio-economic development and the establishment of the new economic order. The speaker before me highlighted one of those efforts, represented by the document adopted in Cairo on human rights in Islam. The position of the Organization of the Islamic Conference on the topics I have mentioned was reflected in the resolutions of the Nineteenth Islamic Conference of Foreign Ministers, which was held in Cairo from 31 July to 5 August 1990, and in the Final Communiqué adopted following its annual Ministerial co-ordination meeting, which was held in New York on 1 October 1990.

(Mr. Ansay, Organization of the Islamic Conference)

All members of the Organization of the Islamic Conference are, as we know, also Members of the United Nations. It is natural, therefore, that the two organizations should work closely together to promote the ideals, principles and objectives that they share.

Co-operation between the two organizations received an important boost in 1975 when the Organization of the Islamic Conference was granted observer status by the United Nations. By the late 1970s it was felt that the ever-increasing interaction of the two organizations should be given an institutional framework whereby the secretariats and the specialized agencies, organs and bodies of the two organizations could hold regular consultations to review their ongoing work and examine the possibilities of expanding and enlarging their areas of co-operation.

Since the adoption in 1980 of General Assembly resolution 35/36, which was the first resolution on co-operation between the United Nations and the Organization of the Islamic Conference, a number of co-operation agreements have been concluded by our organization with specialized agencies and other bodies of the United Nations system, such as the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the Food and Agriculture Organization of the United Nations, the United Nations Fund for Population Activities, the United Nations Conference on Trade and Development, and the bodies concerned with technical co-operation for development.

The co-operation between the United Nations and the Organization of the Islamic Conference has been mutually satisfactory and is developing in a meaningful manner. Ever since the first meeting between the representatives of the secretariats of our organization and its specialized institutions and those of the United Nations system, which was held in 1983, the two organizations have been

(Mr. Ansay, Organization of the Islamic Conference)

collaborating on a number of important projects in the seven priority areas of co-operation discussed in the Secretary-General's report (A/45/526).

The representatives of the United Nations system and the Organization of the Islamic Conference have also met periodically since then. Their last meeting was held in Vienna from 12 to 14 September this year to make a critical review of the progress in co-operation as well as to evaluate the implementation of the recommendations adopted by the general meeting of the two organizations. The report of the last meeting is contained in the Secretary-General's report (A/45/526/Add.1).

We have discerned a keen desire on the part of all United Nations offices and specialized agencies to develop concrete projects to strengthen the ongoing areas of co-operation and to include in their co-operation such projects as would benefit the member States of the Organization of the Islamic Conference. We are very happy to note that the co-ordinating department of the joint meeting in Vienna prepared that meeting adequately and efficiently. All participants contributed in an exemplary manner to the successful conclusion of the Vienna meeting.

Let me assure the Assembly, in the meantime, that we are fully conscious of the financial constraints on both sides and therefore our co-operation process takes into account that factor. As usual, the 1991 co-operation meeting is subject to consultations as to time and place between the Secretary-Generals of the two organizations.

The draft resolution (A/45/L.8) before the Assembly, which has been introduced by the deputy to the Permanent Representative of Egypt, the representative of the current Chairman of the Nineteenth Islamic Conference of Foreign Ministers, takes into consideration the recommendations of the joint meeting of the focal points of the lead agencies of the United Nations and the Organization of the Islamic

(Mr. Ansay, Organization of the Islamic Conference)

Conference held last September in Vienna and reflects the firm determination of the two organizations to co-operate in various fields. Recognizing that draft resolution A/45/L.8 has no additional financial implications, I am confident that it will have the unanimous approval of the General Assembly.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/45/L.8. I have to inform members that the Secretary-General does not foresee programme budget implications in the implementation of this draft resolution.

May I take it that the General Assembly adopts draft resolution A/45/L.8?

Draft resolution A/45/L.8 was adopted (resolution 45/9).

The PRESIDENT: I call on the representative of India, who wishes to explain his position on the resolution just adopted.

Mr. JAIN (India): My delegation had occasion to express our views on the subject of co-operation between the United Nations and the Organization of the Islamic Conference when the item was first introduced, at the thirty-fifth session of the General Assembly, and again when it was considered during the next few sessions.

India has the second largest population of Muslims in the world, next only to Indonesia. The people of India, including the Muslims, have chosen for themselves a secular State, where different religions flourish in harmony and contribute to the enrichment of the composite culture of the country. Our ties with the world of Islam have been close, multifarious and mutually beneficial.

Our own approach to many issues of crucial importance to international peace and security, such as the question of Palestine and questions concerning West Asia and Africa, as well as on a wide range of economic, social and humanitarian questions, coincides to a large extent with that of the Islamic countries.

We in India have always sought to discourage a sectarian or denominational approach in dealing with political, economic, social, cultural or humanitarian questions, or the use of religious sentiments for promoting sectarian interests. The teachings of all religions subserve the same end and should unite, rather than divide, peoples. Groupings of nations on the basis of religious sentiments or beliefs need to be particularly mindful of these considerations.

(Mr. Jain, India)

The increasing co-operation between the Organization of the Islamic Conference and the United Nations is viewed as an indication of the former's acceptance of the United Nations Charter as a principal repository of the ideals and principles that should guide global interaction and promote the progress of humankind. We believe that, like other bodies that have such co-operation, the Organization of the Islamic Conference will strive for a progressive, tolerant and just society and for a world order based on freedom, equality, justice and brotherhood.

We have taken note of the fact that the proposals contained in the Secretary-General's report (A/45/526 and Add.1) are aimed at increasing the interaction between the United Nations and the Organization of the Islamic Conference in the economic, social, humanitarian and environmental fields. As India is not a member of the Organization of the Islamic Conference, we shall not be in a position to judge the extent and value of such interaction. We would stress, however, that co-operation between the United Nations and any intergovernmental organizations represented on an observer basis in the United Nations should be along the same lines and on terms of complete equality.

The PRESIDENT: We have concluded our consideration of agenda item 26.

AGENDA ITEM 25

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE LEAGUE OF ARAB STATES

(a) REPORT OF THE SECRETARY-GENERAL (A/45/481 and Add.1)

(b) DRAFT RESOLUTION (A/45/L.11/Rev.1)

The PRESIDENT: I call on the representative of Kuwait, who wishes to introduce draft resolution A/45/L.11/Rev.1.

Mr. ABULHASAN (Kuwait) (interpretation from Arabic): It gives me pleasure, on behalf of my delegation and on behalf of the States members of the Arab League, and speaking in my capacity as Chairman, for this month, of the Arab Group, to introduce draft resolution A/45/L.11/Rev.1 on behalf of all members of the Arab Group. The draft resolution deals with co-operation between the United Nations and the League of Arab States.

As in the case of resolutions adopted by the General Assembly at previous sessions, this draft resolution, in its objectives and content, aims to promote co-operation and to strengthen the ties of co-operation and co-ordination between the United Nations and the League of Arab States, on the basis of the principles and objectives of the United Nations and the League's Charters. It is being put forward also in pursuance of the resolutions of the Arab Summit, which express the Arab States' aspiration after co-operation and harmony with all members of the United Nations as well as the achievement of peace, security and stability in the Middle East region and in the world at large.

The League of Arab States gives special priority to strengthening the existing co-operation between the two organizations in all areas, especially the economic, political, social and cultural fields. This is expressed very clearly, for example, in operative paragraphs 4, 5 and 6 of the draft resolution. To achieve this objective and proceed even further in the field of co-operation and implementation of the relevant conclusions and plans, the joint meeting held in Geneva from 18 July to 20 July this year adopted a two-year plan of action. Operative paragraph 9 calls for the holding of such meetings once every two years and the holding of the meeting of the sectoral co-ordinators in 1991.

Operative paragraph 12 of the draft resolution recommends the holding of a joint meeting in 1992 in order to review the progress in the implementation of the plan of action. The purpose is to ensure the continued review and appraisal of the

(Mr. Abulhasan, Kuwait)

projects and recommendations that could be implemented within the disposable resources of the two organizations, and to make sure that such projects address the areas of priority and wide importance to the national and regional plans of Arab development.

It is noteworthy that the draft resolution in its preambular and operative paragraphs, highlights the collective Arab efforts to strengthen ties of international co-operation and interaction in a way that takes into account and respects the shouldering by every individual member State of the fundamental responsibilities regarding the maintenance of international peace and security.

It is no secret that States' undertakings and commitments that arise from their membership of the United Nations include the obligation to protect, respect and defend human rights, to repudiate racism and racial discrimination in every shape and form, to bring about the end of hated colonialism with all its consequences and thus ensure the right of peoples to self-determination.

The elements and general orientation of the draft resolution confirm that the Arab States look to the achievement of the objectives and principles of the Charter and respect for United Nations resolutions in order for the Members' duties to be discharged and for the collective responsibility of all States under the Charter regarding collective security and détente to be fully shouldered by every State.

In the light of all this I call upon the Members to vote for the draft resolution.

Let me draw attention to an amendment in operative paragraph 4, namely the deletion of the words "to Lebanon and" from the said paragraph. Operative paragraph 4, as amended, now reads as follows:

(Mr. Abulhasan, Kuwait)

"Requests the Secretary-General to continue to strengthen co-operation with the General Secretariat of the League of Arab States for the purpose of implementing United Nations resolutions relating to the question of Palestine and the situation in the Middle East in order to achieve a just, comprehensive and durable solution to the Middle East conflict and the question of Palestine, the core of the conflict."

(Mr. Abulhasan, Kuwait)

The draft resolution before you calls, in the first instance, for progress to be made and strengthened in all fields of co-operation and in the existing ties between the two organizations in order to attain the lofty goals and objectives of the Charter. The peoples of the world look forward to the realization of those goals in order for them to be able to live together in a world where right and justice prevail and international legitimacy is upheld in a climate of co-operation, accord and international peace and security.

The PRESIDENT: In accordance with General Assembly resolution 477 (V), of 1 November 1950, I now call on the Observer of the League of Arab States.

Mr. ISMAIL (League of Arab States) (interpretation from Arabic): As I now stand at this rostrum for the first time in a very long time allow me to extend to you and to your country, the sincere congratulations of the League of Arab States, on the confidence placed in you by the international community in electing you to preside over this session. This confidence stems from the great respect and appreciation in which you are held by the international community, which highly values your outstanding expertise in international politics. Your country has given proof of that same comprehension for us as Arabs in its responsible, fair and just treatment of the questions of the Middle East region. Allow me to take this opportunity to convey to the people and Government of your friendly country, Malta, the respect and appreciation of the League of Arab States for their constructive stance and the strengthening of Maltese-Arab relations on a basis of mutual respect.

We have before us report A/45/481/Add.1 of 28 September 1990 on Co-operation Between the United Nations and the League of Arab States. Before taking up the matter of this report, I would like first to express my appreciation for this responsible, scientifically accurate and far-sighted report and commend the adherence by the Secretariat to the letter and spirit of the United Nations Charter

(Mr. Ismail, League of Arab States)

in preparing it. Experience has demonstrated, since the signing of the co-operation agreement between the United Nations and the League of Arab States, the Secretariat's effectiveness in promoting that co-operation which is beginning to bear fruit in several areas despite its short duration.

There is no doubt that this Organization is presided over by a man of profound beliefs, wisdom and sincerity. I speak of our Secretary-General, Mr. Perez de Cuellar, who continues to demonstrate that he is the true mirror of the United Nations Charter and of international co-operation in every field. Our thanks go to him and all his associates.

A short while ago, the Chairman of the Arab Group, the Ambassador and Permanent Representative of the State of Kuwait introduced the draft resolution before you. I have nothing much to add to his useful, concise introduction.

The draft resolution on Co-operation Between the United Nations and the League of Arab States is yet another aspect of the ongoing consolidation of co-operation between international and regional organizations. It embodies the principles of the Charter of the League of Arab States and of the United Nations Charter, aims at strengthening further the role and effectiveness of the United Nations, and consolidating and developing the existing co-operation with the United Nations in the area of international peace and security. It adopts the approach of constructive, multifaceted dialogue with a view to strengthening comprehensive international security in the interest of all.

Thanks to its inveterate cultural history, the Arab nation and its Governments have been aware, over the ages, of the importance of international co-operation in creating a better world, and ensuring a better future for all men. Therefore, it is no wonder that all the Constitutions of the Arab States should affirm in their

(Mr. Ismail, League of Arab States)

preambles a commitment to the Charter and resolutions of the United Nations. Such a commitment is consonant with the aspirations of the Arab nation and consistent with its religious beliefs, especially in Islam, whose holy book, the Koran, in more than one place, advocates respect for, and co-operation with all races, religions and beliefs on the basis of human brotherhood. Hence, it is no wonder that the League of Arab States is an enthusiastic supporter of enhanced co-operation with the United Nations. We believe in this goal most sincerely, and expect there to be major and constructive steps towards its achievement.

Since I participate for the first time in the General Assembly's consideration of this item, I have made a point of perusing all the relevant documents prepared by the Secretariat. Although aspirations tend to outstrip achievements, one must admit that, under the circumstances and in view of the relatively short history of this co-operation between the two organizations, a considerable deal has been achieved, and much more will be achieved through the sincere efforts that are being made, towards the attainment of the desired objectives. Allow me quickly to review the areas of this co-operation and some of the achievements that have been made.

(Mr. Ismail, League of Arab States)

On reading the report we find at the very beginning mention of the question of consultations and exchanges of information on matters of mutual concern to the two organizations, in particular the question of Palestine and the developments in the Middle East.

Indeed, the report stresses from the outset that co-operation is the key which is impossible to ignore, contrary to what some States, especially Israel, seem to believe. Its belief is that that key should be ignored, that any entrance that may lead to any sort of co-operation should be avoided and that the point of access must be the broken down door of selective dealings.

The report then takes up, inter alia, the item of population, to which the funds specified in the report have been allocated with a view to making the Population Research and Study Unit a permanent institution within the League of Arab States to respond to the needs of the various bodies of the League for population data collection, research and study.

Then under the heading "Technical Co-operation with the United Nations Development Programme (UNDP)" there is mention of the establishment of an Arab Regional Information System Network.

The report then takes up the question of technical co-operation with the United Nations Centre for Human Settlements (Habitat). During 1989, the Centre executed 42 country-level projects.

In the area of food and agriculture, projects are under way for producing maps delineating the gypsiferous soils in the Middle East region and there is mention of an effective role in the activities of the International Information System for the Agricultural Sciences and Technology and the Current Agricultural Research Information System within the region.

(Mr. Ismail, League of Arab States)

In the area of economic co-operation, mention is made of co-operation between the League of Arab States and the United Nations Conference on Trade and Development (UNCTAD) and their achievements.

The report goes on to mention other extremely vital spheres of co-operation such as IFAD loans to Arab countries and the role played by the Economic and Social Commission for Western Asia (ESCWA) in co-operation with the Arab Organization for Agricultural Development (AOAD).

As regards industrial development, the report mentions some notable accomplishments achieved jointly by the United Nations Industrial Development Organization (UNIDO), the League of Arab States, through the Arab Industrial Development and Mining Organization (AIDMO), the Arab Railway Union (ARU), the Arab Union for Cement and Building Materials (AUCBM) and the Arab Iron and Steel Union (AISU), particularly with regard to the development of a human resources strategy for Arab countries in the field of industrialization, the organization of regional seminars, the preparation of studies and programmes, industrial standardization, and the updating of the Feasibility Studies Manual.

There are also other areas of co-operation, such as maritime training, maritime transport, combating oil pollution, child care, outer space affairs, apartheid, disarmament matters, human settlements, the environment, the role of the International Labour Organisation (ILO) in population activities, education, science, culture, information programmes and services, health, refugees, civil aviation, postal service, telecommunications and meteorological services. There are other projects and achievements which we are confident, as I noted at the beginning of my statement, will progress and grow more effective with the support and assistance of the Assembly and the Arab League.

(Mr. Ismail, League of Arab States)

The Arab nation has made a considerable contribution to humanity's progress and, in turn, has benefited from the achievements of other nations. The Arab nation has a great deal to contribute in the give and take and interaction with other nations. However, its striving after a better future, development, justice, welfare, scientific progress and the discharge of international duties continues to come up against certain fixed obstacles and some temporary impediments, few of which are of its own making and most of which are imposed from outside. It is impossible to separate the internal from the external in this respect.

In this respect, and in the historic context which is well known to every Arab official and every Arab citizen, we find that Israel's expansionist settler-colonialism under the wing of foreign Powers, and more specifically a super-Power that bears a major responsibility for the protection of international peace and security, is the major obstacle that blocks the region's progress and prosperity. It is the main reason for making the region a hotbed of strife and destruction through its blatant disregard and rejection of every initiative, resolution or logic, its detachment from the international realities of the age and its ignorance of the meaning of peace. The Arabs, for their part, have continued to reiterate their desire for a just peace and their full commitment to the resolutions of the General Assembly and the Security Council in all their resolutions and conferences, and the decisions of the legitimate representative of the Palestinian people, The Palestine Liberation Organization (PLO). Israel's response to all this has been insincere. It has opted for manoeuvring, ignoring the call for peace, insisted on regressing to outdated positions and continued to try to accuse the Arabs of not wanting peace.

We have only one question which we want to put to Israel. Does Israel or does it not accept the resolutions of the General Assembly and the Security Council in

(Mr. Ismail, League of Arab States)

letter and spirit? Is it ready to adopt the civilized approach and enter into meaningful international negotiations under United Nations auspices? Is it prepared to concede the reality of the existence of the Palestinian people and recognize the fact that is recognized by all, namely that the representative of the Palestinian people is the PLO? It would be well if Israel were to answer, but I do not think that it will.

As for the Arabs, their position is clear enough in the resolutions of the Fez Arab Summit Meeting and in the resolutions of the Palestine National Council, the essence of which is a clear-cut commitment to international legitimacy as embodied in United Nations resolutions.

When we speak of co-operation in the sphere of science, technology and comprehensive development, we naturally do not speak of first aid, but of the healing of wounds so that the people of our region may live in an environment of peace, security and confidence now and have hope in the future.

It has been customary - and I do not know if this will be repeated - when the representative of Israel makes a statement for him to denounce the General Assembly and Security Council resolutions and to consider co-operation with the Arab League as futile, and in doing so he enumerates the States of the Arab League while fully realizing that all States Members of the League of Arab States abide by international law and comply with the provisions of the Charter as a means of resolving by peaceful means the Middle East question - the core of which is the question of Palestine. If this is the case, we must assure him that the gamble on differing views among the Arab nations, if such differences exist, is a losing gamble. This has been proved by events.

The PRESIDENT: At the request of a number of delegations I shall suspend the meeting briefly.

The meeting was suspended at 4.10 p.m. and resumed at 4.25 p.m.

The PRESIDENT: I should like to inform members that, at the request of a number of members, continuance of consideration of item 25, entitled "Co-operation between the United Nations and the League of Arab States", is postponed to a later date, to be announced.

AGENDA ITEM 21

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF AMERICAN STATES

(a) REPORT OF THE SECRETARY-GENERAL (A/45/499)

(b) DRAFT RESOLUTION (A/45/L.12)

The PRESIDENT: I call on the representative of Honduras to introduce draft resolution A/45/L.12.

Mr. BERMUDEZ (Honduras) (interpretation from Spanish): Sir, it is a great pleasure for my delegation to take part in the proceedings of this session under your skilful presidency. It is a double pleasure in the case of this item in view of your wide range of experience of the work of the Organization.

I have the honour to address delegations to the forty-fifth session of the General Assembly to submit a draft resolution under agenda item 21, entitled "Co-operation between the United Nations and the Organization of American States".

(Mr. Bermudez, Honduras)

The inter-American system, whose institutional origins can be traced back to the last century, finds its most eloquent expression today in the Organization of American States, a regional organization completely identified with the purposes and principles of the United Nations.

The charter of the Organization of American States stipulates that none of its provisions should be interpreted as impairing the rights or obligations of its member States under the Charter of the United Nations. For its part, Chapter VIII of the United Nations Charter sets forth the concept of regional arrangements, with particular reference to the peaceful settlement of disputes, which has been for a long time and continues to be an essential subject for the inter-American system. The complementarity of the two organizations is obvious, particularly in the current circumstances, in which regionalism is called upon to play an important role in the new international order.

The Secretary-General, in his report in document A/45/499, dated 14 September 1990, describes the activities that the United Nations has been engaged in during the past two years in the field of co-operation between the United Nations and the Organization of American States. The account given of those activities attests to hard work that has yielded practical and highly satisfactory results.

The report focuses on the co-operation between the two organizations in regard to Central America. The urgency of achieving an early solution for the political crisis and security for that region provides sufficient reason for concentrating the efforts, at this stage of relations between the two organizations, on the quest for a negotiated settlement of that crisis.

(Mr. Bermudez, Honduras)

Thus the report emphasizes the role that has been played in the implementation of the Joint Plan for the voluntary demobilization, repatriation or relocation in Nicaragua or third countries of the members of the Nicaraguan resistance and their families, as well as assistance for the demobilization of all those involved in armed actions in the countries of the region when such persons voluntarily request it. As representatives will recall, that Joint Plan was adopted by the Presidents of the countries of the region in August 1989 at the summit meeting held in Tela, Honduras. The successful conclusion of the demobilization of the members of the Nicaraguan resistance was not only a contribution to the regional peace process in itself but also an indication of the success of the international endeavours complementing the procedure defined by the Central Americans for the achievement of firm and lasting peace.

Similarly, the Secretary-General has described in the report the work that has been done in the verification of the electoral process in Nicaragua. The significance of that work transcends national borders, as it has become a dynamic factor for a new Central America, identified with democracy, freedom and social justice.

However, beyond the areas related to political and legal matters and security, opportunities for international institutional co-operation encompass the social sphere and co-operation for development. In this connection, the report of the Secretary-General makes reference to the joint action by the two organizations regarding the special plan of economic co-operation for Central America, established under General Assembly resolution 42/231, adopted on 12 May 1988.

(Mr. Bermudez, Honduras)

The criteria and references I have mentioned are included in the draft resolution I have the honour to submit to the General Assembly. Similarly, the draft reflects the consultations that have been held between the two organizations with a view to facilitating enhanced co-ordination of complementary activities. The general meeting in this regard between representatives of the Organization of American States and representatives of the United Nations and other organizations of the United Nations system has still not been held. The purpose of that meeting is to consider projects, measures and procedures for facilitating and expanding co-operation between them. It would be of mutual benefit to both organizations if the general meeting were to be held before the next regular session of the General Assembly of the Organization of American States, scheduled for next June.

We are quite confident that the natural complementarity between the two organizations will be reflected in the machinery for consultation and co-ordination, which will be refined in the course of the increasing joint activities in matters of mutual interest.

I should like to inform the Assembly that Ecuador, Suriname and Trinidad and Tobago have become sponsors of the draft resolution I have the honour to introduce.

In the light of what I have said in this statement, I propose that the draft resolution be adopted without a vote.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/45/L.12. I should like to inform members that the Secretary-General does not foresee programme budget implications in the implementation of this draft resolution.

May I take it that the Assembly adopts the draft resolution?

Draft resolution A/45/L.12 was adopted (resolution 45/10).

The PRESIDENT: We have concluded our consideration of agenda item 21.

AGENDA ITEM 13

REPORT OF THE INTERNATIONAL COURT OF JUSTICE (A/45/4)

The PRESIDENT: The report of the International Court of Justice (A/45/4) covers the period 1 August 1989 to 31 July 1990.

I call on the representative of Denmark, who will speak on behalf of the Nordic countries.

Mr. MORTENSEN (Denmark): On behalf of the Nordic countries, I wish to express our appreciation of the report before us concerning the activities of the International Court of Justice during the past year.

The increasing role of the highest legal authority of the world community in settling disputes between States is a matter of great satisfaction. This increase in the number of cases submitted to the Court coincides with the start of the United Nations Decade of International Law. A major theme of the Decade is, precisely, the peaceful settlement of disputes, including the use of the United Nations judicial organ, the International Court of Justice in The Hague.

The Nordic countries welcome this trend towards using the Court to solve inter-State disputes. It would be in line with one of the basic aims of the United Nations for the role of the International Court of Justice gradually to become a part of normal business in international affairs in the same way as court proceedings are used in national societies. This means that bringing a dispute to the Court in The Hague should be regarded not as an unfriendly act, if an issue cannot be solved through negotiations, but as a constructive step towards solving a difficult issue.

In this context, it is important to find ways and means of reducing the costs involved in carrying out proceedings before the Court. To this end the Secretary-General has taken a most valuable initiative by establishing a Trust Fund through which to reimburse countries, which otherwise, for financial reasons, would be prevented from bringing a case before the International Court of Justice, for some of the costs accumulated through court proceedings. It is a pleasure for me, on behalf of the Nordic countries, to announce a contribution of $100,000 to the Fund.

The PRESIDENT: May I take it that the General Assembly takes note of the report of the International Court of Justice?

It was so decided.

The PRESIDENT: We have concluded our consideration of agenda item 13.

PROGRAMME OF WORK

The PRESIDENT: Before adjourning the meeting, I should like to give members an outline of the tentative programme of plenary meetings until the first week of December.

On Thursday, 1 November, in the morning, the Assembly will take up item 27, "Question of the Comorian island of Mayotte"; item 15 (a), "Election of five non-permanent members of the Security Council"; and item 22, "Implementation of the Declaration on the Right of Peoples to Peace".

On Monday, 12 November, in the morning, the Assembly will take up item 152, "Critical economic situation in Africa".

On Thursday, 15 November, the Assembly will take up item 28, "The situation in Central America: threats to international peace and security and peace initiatives"; and item 15 (c), "Election of five members of the International Court of Justice".

On Friday, 16 November, the Assembly will take up item 29, "The situation in Afghanistan and its implications for international peace and security"; and item 15 (b), "Election of eighteen members of the Economic and Social Council".

On Monday, 19 November, and Tuesday, 20 November, the Assembly will begin consideration of item 18, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples".

In the afternoon of Tuesday, 20 November, the Assembly will also consider the reports of the Fourth Committee.

(The President)

On Monday, 26 November, in the morning, the Assembly will consider item 33, "Law of the sea".

On Monday, 26 November, in the afternoon, the Assembly will continue its consideration of item 33, "Law of the sea", and will also take up item 31, "Zone of peace and co-operation of the South Atlantic"; item 7, "Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations"; and item 11, "Report of the Security Council".

On Thursday, 29 November, in the afternoon, the Assembly will begin consideration of item 23, "Question of Palestine".

On Monday, 3 December, in the afternoon, the Assembly will begin consideration of item 34, "Policies of apartheid of the Government of South Africa".

On Thursday, 6 December, in the morning, the Assembly will begin consideration of item 35, "The situation in the Middle East".

Further, I should like to remind representatives that the Pledging Conference for Development Activities will be held on Thursday, 1 November, and Friday, 2 November. The conference will be opened by the Secretary-General.

I should also like to inform members that the announcement of voluntary contributions to the 1991 programmes of the United Nations Relief and Works Agency for Palestine Refugees in the Near East will take place on Friday, 16 November, in the morning, and that the announcement of voluntary contributions to the 1991 programmes of the Office of the United Nations High Commissioner for Refugees will take place on Tuesday, 20 November, in the morning.

I have stated earlier and would like to reiterate that, while the Assembly fixed the date of Monday, 16 September 1991, for the closing of the forty-fifth session, it also fixed the date of Tuesday, 18 December 1990, for the Assembly to recess until next year. Therefore, we should try to complete our work by that date.

(The President)

The tentative schedule that I have just announced will appear in the verbatim record of the meeting as well as in the Journal summary. In the meantime, if there are changes, I shall keep the Assembly informed.

The list of speakers for all these items is now open.

The meeting rose at 4.50 p.m.

UNITED NATIONS

A

General Assembly

PROVISIONAL

A/45/PV.36
9 November 1990

ENGLISH

Forty-fifth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE THIRTY-SIXTH MEETING

Held at Headquarters, New York,
on Thursday, 1 November 1990, at 10 a.m.

President: Mr. FORTIER (Canada)
(Vice-President)

- Question of the Comorian Island of Mayotte [27]

  (a) Report of the Secretary-General

  (b) Draft resolution

- Elections to fill vacancies in principal organs [15]

  (a) Election of five non-permanent members of the Security Council

- Credentials of representatives to the forty-fifth session of the General Assembly [3] (continued)

  (b) First report of the Credentials Committee

/...

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the General Assembly.

Corrections should be submitted to original speeches only. They should be sent under the signature of a member of the delegation concerned, within one week, to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

90-64286/A 2654V (E)

- Adoption of the agenda and organization of work [8]

  (a) Letter from the Chairman of the Committee on Conferences

  (b) Report of the Fifth Committee

- Programme of work

In the absence of the President, Mr. Fortier (Canada), Vice-President, took the Chair.

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 27

QUESTION OF THE COMORIAN ISLAND OF MAYOTTE

(a) REPORT OF THE SECRETARY-GENERAL (A/45/540)

(b) DRAFT RESOLUTION (A/45/L.13)

The PRESIDENT (interpretation from French): I call on the Minister for Foreign Affairs of the Comoros, who will introduce the draft resolution.

Mr. MAECHA (Comoros) (interpretation from French): Mr. President, once again our Assembly is seized of the question of the Comorian island of Mayotte. As in the past, our delegation forswears any polemical intention in endeavouring to present all the elements of this matter with the utmost objectivity, placing trust more than ever in our Organization and in its Charter, which declares, inter alia, the determination of

"We the peoples of the United Nations to reaffirm faith in ... the equal rights ... of nations large and small."

In our eyes the international community's support for the principle of the sovereign equality of all its States Members constitutes the first of the guarantees conducive to preserving small States such as ours from the threat or use of force against our integrity and independence.

It is hardly necessary to stress here the consistent determination of the Comorian authorities to continue to benefit from the active contribution of all delegations so as to be able to put an end as soon as possible to the unfortunate dispute that tarnishes our historical relations with France, a founding Member of our Organization and a country respected by all, which only yesterday was in the vanguard of African decolonization.

(Mr. Maecha, Comoros)

Yes, we want to believe that Mayotte is an accident of history that it is high time to remedy. Not once in more than a century of its presence in the Comoros did France dispute or question the fact that Mayotte belonged to the Comoros as a whole. On the contrary, successive Governments in France, basing themselves on history, have emphasized on many occasions the need to respect the territorial unity of our archipelago, in accordance with the conditions set out in article 72 and following articles of its constitution. All the laws and administrative provisions adopted during the colonial period enshrined in the clearest way the unity of our country. Is not that unity, then, well founded? Some wish, purely for administrative convenience, to believe not. But that unity has its origin and its basis in the shared history of the four sister islands that make up the archipelago of the Islamic Federal Republic of the Comoros, namely the islands of Anjouan, Grand Comoro, Mayotte and Moheli.

(Mr. Maecha, Comoros)

That was why, when France was brought to recognize our desire for independence, it was decided, through a French law, that the Comorian people would be consulted on its future. Agreements were then signed, in Paris on 15 June 1973, between the representatives of the French Government and those of the territorial Government of the Comoros. Those agreements provided, first, that a referendum would be held in the Comoros and that, if the majority of the population voted in favour of independence, the results would be accepted as a whole - I stress "as a whole" - for all four islands.

The agreements were to have the effect of giving the Territorial Assembly of deputies then in office the powers of a constituent assembly, while the President of the Council of the local Government would have the competence and prerogatives of a head of State.

Those provisions faithfully reflected the stress laid on the indisputable unity of our country on the eve of its accession to self-determination. Furthermore, they were supported by solemn declarations by the highest French authorities at that time. In this connection, I wish to remind representatives of the statement made by the then President of France, in person, on 24 October 1974, which seemed to dispel any ambiguity:

> "Is it reasonable to imagine that part of the [Comoro] Archipelago should become independent while one island, whatever sympathy might be felt for its inhabitants, should retain a different status? I think that today's realities have to be accepted: the Comoros are a unit and have always been a unit. It is natural that they should share the same fate. It is not for us, at the moment of a territory's independence, to propose to shatter the unity of what has always been the united Comoro Archipelago."

(Mr. Maecha, Comoros)

However, this is exactly what happened in the Comoros 15 years ago. Fifteen years ago, when the Comoros voted 95 per cent in favour of independence, the French Government nevertheless passed another law, on 3 July 1975, which challenged the original draft law ratifying self-determination, and demanding the organization of another referendum in which the consultation would take place island by island.

The Comorian people were decidedly distressed and shocked by these new provisions, which ran counter to their deepest aspirations and to the commitments made by France. The French Government had, by this action, violated not only its own domestic law, but also public international law. It had violated the sacrosanct rule, so dear to the French Constitution, of the indivisibility of overseas territories and colonial entities. It had contravened the sacred principle of the inviolability of borders inherited from colonial times.

In the face of this unacceptable about-turn and the clearly expressed desire of the Comorian people, President Ahmed Abdallah Abderemane unilaterally proclaimed the irdependence of the Comoros on 6 July 1975.

Because our cause was just, there was immediate recognition by the international community, including on 18 July, the Organization of African Unity. Then, on 12 November, the United Nations admitted the Islamic Federal Republic of the Comoros as a sovereign State comprising the four islands of the archipelago, including Mayotte, by a unanimous vote of the General Assembly, in accordance with resolution 3385 (XXX). That resolution was based on resolutions 1514 (XV) and 2621 (XXV), concerning the Declaration on the Granting of Independence to Colonial Countries and Peoples, and thus proclaimed the sovereignty of the Islamic Federal Republic of the Comoros over the whole of the decolonized territory.

Faced with the verdict of our Organization and to legitimize its trial of strength, the French Government then decided to organize two referendums in

(Mr. Maecha, Comoros)

Mayotte, on 8 February and 11 April 1976, citing paragraph 3 of article 53 of the French Constitution, which states:

> "No transfer, exchange or addition of territory is valid without the consent of the peoples concerned."

Put this way, the argument was that the people of Mayotte were being enabled to choose their own future. But it is clear to all that in our case there was no question of a transfer or exchange of territory, much less of any addition. It was a clear case of the arbitrary division of a single territory.

Faced with this improper interpretation of the right of transfer, our Organization reacted vigorously, in its resolution 31/4, of 21 October 1976, in which the General Assembly stated that the occupation by France of Mayotte constitutes "a flagrant encroachment on the national unity of the Comorian State" (third preambular paragraph) and

> "Condemns and considers null and void the referendums of 8 February and 11 April 1976 organized in the Comorian island of Mayotte by the Government of France and rejects: (a) Any other form of ... consultation which may hereafter be organized on Comorian territory in Mayotte by France". (para. 1)

(Mr. Maecha, Comoros)

Following the example of the United Nations, most major international organizations that regularly consider the question of Mayotte did not fail to express a similar view, in particular last July at the summit conference of Heads of State of the Organization of African Unity and last August at the annual meeting of the Ministers of Foreign Affairs of the Organization of the Islamic Conference.

I cannot conclude my remarks on the events that brought us to the present situation and were the source of the distressing problem in Mayotte without emphasizing that as our country suffers this injustice voices are being raised in France vehemently condemning this situation.

Elected members of the Socialist party, the Opposition at that time, including the present President, François Mitterrand, addressed to the Constitutional Council of their country a letter denouncing the anti-constitutionality of the famous law of 3 July 1975.

If one is aware of the homogeneity of the Comorian population and the blood ties that have always existed between the inhabitants of the four islands of our archipelago, one can better understand the great suffering of a socially indivisible people. Fifteen years: that is a very long time, and each day the quest for a solution to the problem of Mayotte becomes more complex.

Let there be no doubt that, in accordance with the recommendations of the United Nations, we have never failed on any occasion to raise the question of Mayotte with the French side, always stressing our readiness to consider any concrete proposal aimed at getting us out of this distressing situation.

Recently, when President François Mitterrand came to the Indian Ocean in June, the Head of the Comorian State, Mr. Said Mohamed Djohar, reminded his French counterpart, within the framework of relations of confidence between our two

(Mr. Maecha, Comoros)

countries, of the urgency of finding a definitive solution to the problem of Mayotte.

His Excellency President François Mitterrand, who has long known our country and who has shown himself to be sensitive to our concerns, once again confirmed France's determination to work in the interests of both sides. This is what he said on that occasion:

"We shall talk about it, but I think that right now we must take measures that will permit communication and constant exchanges between the islands: Mayotte and the others, the others and Mayotte. Let no more barriers be erected - even theoretical ones, for they are difficult to overcome - among Comorians, and let France assist you in recovering your former solidarity. There are many forms of unity, believe me, and we shall seek them."

I need hardly tell the Assembly how many hopes this statement raised in the Comoros and beyond. We wish to assure members that we are ready to entertain all ways and means for a peaceful settlement of the problem of Mayotte through the simple implementation of international law, since we are convinced of the soundness of our claim.

Since he resumed power in March, the Head of the Comorian State, Mr. Said Mohamed Djohar, has been striving to set our country on the difficult but necessary course of democracy and multipartyism. In this new national political context, and desiring not to neglect any possibility of fostering the return of Mayotte to our family, our President is working to convince people of the need for a tripartite commission, including the Maori people, to work to implement a process for the settlement of this dispute. We are well aware that this is a generous idea, there are nevertheless many obstacles to it. In 15 years the gap has widened

(Mr. Maecha, Comoros)

between Mayotte and the rest of the archipelago. It will not be easy to close it, but what can we do, if France does not take the initiative to gather the three parties around the negotiating table?

However, perhaps more than ever, the climate of trust, peace and understanding that underlies the relations between our country and France gives us reason for hope. The political determination of our President to build democracy and the present revision of our Constitution are pledges of a new course likely to lead finally to that long-awaited solution: the restoration of the sovereignty and territorial integrity of the Islamic Federal Republic of the Comoros. The new constitutional framework we are now studying aims only at protection against the hegemony of one island over another.

At a time when the United Nations is strengthening its credibility, when real solidarity is being built with regard to the crises in the Middle East and the Far East, we cannot believe that only an armed conflict can move the international community to action. May our Organization on the question of Mayotte - as in the face of any violation of a people's sovereignty - ensure once and for all the primacy of international law over force: law and nothing but the law.

Once again we request the good offices of our Organization, whose essential task it is - is it not? - to foster peace and understanding among peoples and nations, to assist us in our quest for the most appropriate ways and means of giving a new impetus - a crucial impetus this time - to the resolution of the case of Mayotte and finally to draft an agreement that will ensure the restitution of that sister island.

(Mr. Maecha, Comoros)

I shall conclude by expressing the deep gratitude of the Government of the Comoros to our Organization for the attention it has constantly paid to the question of Mayotte.

The draft resolution submitted to our Assembly and which is aimed at justifying the present debate is completely in accord with all our earlier recommendations on this subject. Hence we fervently desire its adoption.

Mr. RAZALI (Malaysia): May I offer Malaysia's best wishes and its particular happiness at seeing Mr. de Marco elected as President of this session.

The General Assembly listened just now with rapt attention to the fervent appeal of the Foreign Minister of the Islamic Federal Republic of the Comoros. The Malaysian delegation extends its full solidarity to that appeal of the Foreign Minister and would commend in particular the determination and steadfastness of the Comoros in the pursuit of its objectives.

For the last 15 years this Assembly has made repeated calls for a peaceful solution to the question of the Comorian Island of Mayotte. Today, with the new international order of co-operation and understanding, there is even more reason to reaffirm such an appeal.

Our interest in this issue lies in the fact that Malaysia is a close friend of both France and the Islamic Federal Republic of the Comoros. In the spirit of that friendship and continuing co-operation, we place our confidence in an honourable and just political settlement of the problem.

The Islamic Federal Republic of the Comoros, comprised of the four main islands of Anjouan, Grand-Comoro, Mayotte and Moheli, is a peaceful, small island-State, struggling to build its nation and committed to enhancing the welfare of its people and its national development. Just as it had assisted in the decolonization of other nations, the United Nations must ensure that the Comorians will succeed in achieving their national aspirations. This is to say that all

(Mr. Razali, Malaysia)

responsible Members of the United Nations must recognize the legitimate rights of the people of the Comoros not only to independence but also to a single integrated entity that will ensure them a peaceful existence and political stability. Decolonization must not be a half-way process; it must be a complete process. As urged by the United Nations, the Organization of African Unity (OAU), the Organization of the Islamic Conference (OIC), the Movement of Non-Aligned Countries and many other individual nations, the colonial Power must carry out its responsibility and obligations in keeping with the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted in 1960.

After considering the Comorian referendum held in 1974 whereby 95 per cent of the people voted for independence, Malaysia recognized the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte. The continued separation of Mayotte from the rest of the Islamic Federal Republic creates political instability and will affect the territorial integrity of the Comoros. The present partition must end, for it is to a great degree depriving the Comorians of their already scarce resources, which are vital for the process of nation-building and the well-being of its people.

Despite the Secretary-General's repeated efforts to find a peaceful solution to this problem, there has not been tangible progress so far, as indicated in the Secretary-General's latest report (A/45/540) of 27 September 1990. Malaysia is concerned over this situation. We therefore call upon all the parties involved to resolve this problem as soon as possible so as not to destroy further the national unity of a country whose homogeneous people share the same language, culture and religion.

My delegation pays special attention to the commitment of both parties to continue having a dialogue and intensify their efforts aimed at achieving a political solution. Malaysia hopes that that dialogue will be accelerated and

(Mr. Razali, Malaysia)

result in the affirmation of the territorial integrity of the Islamic Federal Republic of the Comoros.

We would like to express our continuing support for the efforts of the Secretary-General to achieve the aforementioned objective. We also support the mediation and good offices of the OAU in assisting in the resolution of this problem. In the same manner and for the same objective, Malaysia is pleased to support the draft resolution on the question of the Comorian island of Mayotte.

Mr. IBRAHIM (Egypt) (interpretation from Arabic): Egypt's interest in the question of the Comorian island of Mayotte and our desire for a just and speedy solution to be reached thereto stem from the close ties of friendship which bind us to both the Comoros and to France, in addition to our adherence to the resolutions of the Organization of African Unity (OAU).

As always, our position has been based on principles we believe in and upon which the United Nations was founded. Egypt supports the sovereignty of the Islamic Federal Republic of the Comoros over the Comorian island of Mayotte. We have consistently affirmed this position in a number of international and regional forums. It is a position that is supported by all those regional and international forums that are concerned with the question as is seen from the resolutions adopted by the United Nations and the African and Non-aligned summits, all of which call for respecting the unity and territorial integrity of the archipelago.

Through our constant contacts with the two parties concerned, we understand and appreciate the concerns of the Government of the Islamic Federal Republic of the Comoros which arise from the fact that no tangible progress has been made in finding a just solution to the problem. Nothing new has taken place since 1975 as far as the situation is concerned. We are aware that the persistence of a situation that is akin to a stalemate, carries with it dangers of political

(Mr. Ibrahim, Egypt)

instability, which may adversely reflect on the prevailing climate in the territory as a whole.

As far as we are concerned, however, there is always room for optimism and hope. We still believe that there is a possibility of reaching a just and negotiated solution.

(Mr. Ibrahim, Egypt)

Through our contacts with the two friendly Governments of Comoros Islands and France, we feel that there is a sincere desire to continue the dialogue and to keep the channels of communication between the two Governments open. This demonstrates the good faith of both parties and their intention to intensify the efforts aimed at reaching a political solution that would affirm and maintain the territorial unity of the Comoros Islands and, at the same time, take into consideration the interests of all parties.

We wish to take this opportunity to support the endeavours of the Secretary-General in this connection. We request him to continue his contacts with both parties and commend his readiness to exert efforts in order to reach the desired solution.

We believe that the current international climate which is oriented towards further peace and security in several geographic regions must encourage both parties to believe that with good intentions and persistent endeavours they will achieve tangible and commendable results in the near future.

Mr. DANGUE REWAKA (Gabon) (interpretation from French): We are meeting today to consider once again the question of the Comorian island of Mayotte. Let us say at the very outset that there have been no developments on this question. And when I say that, I am not saying anything new. Indeed, for too long now the Islamic Federal Republic of the Comoros has been fighting for the return of Mayotte to the rest of the Comoros; for too long now the General Assembly has been calling upon the Government of France to abide by commitments entered into on the eve of the self-determination referendum held in the Comoros archipelago on 22 December 1974; for too long now the General Assembly has been appealing to France to put into practice the determination it has expressed on more than one occasion to seek a just and lasting solution to the problem of Mayotte.

(Mr. Dangue Rewaka, Gabon)

While there are some encouraging developments on other questions it must be said that in this particular case, despite efforts that have been made since 1977 by the Organization of African Unity's Ad Hoc Committee of Seven, presided over by my country, the question of Mayotte has been hopelessly bogged down. Nevertheless, the Committee does not intend to give up. Thus, it is contemplating reactivating very soon negotiations with the French authorities in order to speed up the return of the Comorian island of Mayotte to the Islamic Federal Republic of the Comoros.

The Ad Hoc Committee of Seven of the Organization of African Unity calls upon the General Assembly to adopt unanimously the draft resolution now before it, as a way of lending support and comfort to the Committee as it continues its mission.

Mr. RAHMAN (Pakistan): The question of the Comorian island of Mayotte has been on the agenda of the General Assembly since 1976, soon after Comoros attained independence. Ever since, the resolutions of the General Assembly on this question have, inter alia, underlined the necessity of respecting the unity and territorial integrity of the Comorian archipelago and have reaffirmed that a lasting solution to the problem can be found only in restoration of the disputed island to Comoros. The territorial integrity and unity of Comoros as a whole have also been reaffirmed in resolutions adopted over the years in other international forums such as the Non-Aligned Movement, the Organization of the Islamic Conference and the Organization of African Unity.

Last year, the General Assembly, in its resolution 44/9, adopted on 18 October 1989, once again reaffirmed the sovereignty of the Islamic Republic of the Comoros over the island of Mayotte and, bearing in mind the wish expressed by the President of the French Republic to seek actively a just solution to that problem, urged the Government of France to accelerate the process of negotiations with the Government of Comoros with a view to ensuring the effective and prompt return of the island of Mayotte to the Comoros.

(Mr. Rahman, Pakistan)

This position was again reflected in the Conference of Heads of State and Government of the Organization of African Unity held in Addis Ababa in July 1990 and the nineteenth Islamic Conference of Foreign Ministers, held in Cairo from 31 July to 5 August 1990. Such demonstrations of international support leave no doubt regarding the validity of the Comoros claim to the island of Mayotte.

The problem of the Comorian island of Mayotte is not just a bilateral problem between France and Comoros but is essentially a question of decolonization and therefore a matter of concern for the international community. In this context I recall General Assembly resolution 3291 (XXIX), of 13 December 1974; and resolution 1514 (XV), of 14 December 1960, on the granting of independence to colonial countries and peoples. These resolutions clearly maintain that the granting of independence or of the right to exercise self-determination applies to colonial entities as a whole and not selectively. This principle remains equally applicable to the Comorian archipelago.

In our view, constructive dialogue and peaceful negotiations are the best possible means of resolving differences and disputes. In this context we note with a great deal of satisfaction the close contact maintained by the Secretary-General with all parties and his readiness to make available his good offices in the search for a peaceful solution to the problem.

Pakistan has traditional ties of friendship and co-operation with France and, as a fellow member of the Non-Aligned Movement and of the Organization of the Islamic Conference, enjoys close and fraternal ties with the Islamic Federal Republic of Comoros. A dispute between those two friendly countries is certainly a matter of concern to us.

Pakistan has been following very closely the developments that are taking place on this issue. We are encouraged by the ongoing dialogue between the two

(Mr. Rahman, Pakistan)

Governments at the highest level, particularly the meeting between the Presidents of France and Comoros held in Moroni in June 1990. Such a dialogue, imbued with a spirit of co-operation and understanding and built on the foundations already laid by the relevant General Assembly resolutions, provides the best possibility for a peaceful solution to the problem. This demonstration of political will on both sides must be supported by the international community at large.

(Mr. Rahman, Pakistan)

The draft resolution before us in document A/45/L.13 is both moderate and balanced and reiterates the principled position maintained by various international forums. My delegation supports the draft resolution and expresses the hope that it will accelerate the process of negotiations leading to an early solution of the problem on the basis of the recognized principles of international law and the Charter of the United Nations.

In conclusion, my delegation would also like to avail itself of this opportunity to commend the Secretary-General's efforts towards solving this problem, and to join others in requesting him to continue his efforts and extend his good offices to the Organization of African Unity in the search for a negotiated settlement.

Mr. BLANC (France) (interpretation from French): Once again France is obliged to express regret that the question of the island of Mayotte is an item on the General Assembly's agenda. We shall be compelled to vote against the text before us, in particular because of its operative paragraph 1.

However, my delegation has listened very attentively to the representatives who have spoken on this question. It is clear that everyone wants a just and lasting solution to be found to the question. This is also France's position.

We are committed actively to seek a satisfactory solution to the problem of Mayotte and we rule out no solution in keeping with our Constitution and with the aspirations of the peoples concerned.

With a sense of responsibility and in a spirit of openness, the French Government is continuing a constructive dialogue with the Islamic Federal Republic of the Comoros. This dialogue is based on the strong ties of friendship and co-operation which exist between our two countries and which were borne out quite recently, at the meeting in June 1990 at Moroni between Presidents Djohar and Mitterrand. We are convinced that this dialogue, continued with an abiding

(Mr. Blanc, France)

determination to seek conciliation and a peaceful solution, can, despite the difficulties, lead to progress in the common search for a just solution.

For its part, France will spare no effort in this endeavour.

The PRESIDENT (interpretation from French): The Assembly will now take a decision on the draft resolution in document A/45/L.13.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: France

Abstaining: Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Dominica, Dominican Republic, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Saint Vincent and the Grenadines, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution was adopted by 118 to 1, with 30 abstentions (resolution 45/11).*

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* Subsequently, the delegation of Congo and Uganda advised the Secretariat that they had intended to vote in favour.

The PRESIDENT (interpretation from French): The Assembly has thus concluded its consideration of agenda item 27.

AGENDA ITEM 15

ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS

(a) ELECTION OF FIVE NON-PERMANENT MEMBERS OF THE SECURITY COUNCIL

The PRESIDENT: The General Assembly will now proceed to the election of five non-permanent members of the Security Council to replace those members whose term of office expires on 31 December 1990.

The five outgoing members are: Canada, Colombia, Ethiopia, Finland and Malaysia. Those five States cannot be re-elected and therefore their names should not appear on the ballot papers.

Apart from the five permanent members, the Security Council will include in 1991 the following States: Côte d'Ivoire, Cuba, Romania, Yemen and Zaire. Therefore, the names of those States should not appear on the ballot papers.

Of the five non-permanent members that will remain in office in 1991, three are from Africa and Asia, one is from Eastern Europe and one is from Latin America and the Caribbean.

Consequently, pursuant to paragraph 3 of General Assembly resolution 1991 A (XVIII) of 17 December 1963, the five non-permanent members should be elected according to the following pattern: two from Africa and Asia, one from Latin America and the Caribbean, and two from Western Europe and other States. This pattern is reflected in a single ballot paper.

In accordance with the established practice, there is an understanding to the effect that of the two States to be elected from Africa and Asia one should be from Africa and one from Asia.

(The President)

I should like to inform the Assembly that the number of candidates, not exceeding the number of seats to be filled, receiving the greatest number of votes and a two thirds majority of those present and voting will be declared elected. In the case of a tie vote for the last seat, there will be a restricted ballot limited to those candidates that have obtained an equal number of votes.

May I take it that the General Assembly agrees to that procedure?

It was so decided.

The PRESIDENT: In accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations. Ballot papers are now being distributed.

I request representatives to use only those ballot papers that have just been distributed and to write on them the names of the five Member States for which they wish to vote. As I have indicated, the ballot papers should not include the names of the five permanent members, the five outgoing non-permanent members, or the five non-permanent members that will remain in office in 1991. Votes for more States than the number of seats allocated to each region will be declared invalid and votes for States outside the relevant region will not be counted.

At the invitation of the President, Mr. Panov (Bulgaria), Mr. Kounkou (Congo), Ms. Jones (Grenada) and Mr. Conmy (Ireland) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.30 a.m. and resumed at 12.05 p.m.

The PRESIDENT (interpretation from French): The result of the voting for the election of five non-permanent members of the Security Council is as follows:

Number of ballot papers:	154
Number of invalid ballots:	0
Number of valid ballots:	154
Abstentions:	0
Number of members voting:	154
Required two-thirds majority:	103
Number of votes obtained:	
Austria	150
Ecuador	149
Zimbabwe	146
Belgium	142
India	141
Sri Lanka	2
Australia	1
Spain	1
Hungary*	1
Islamic Republic of Iran	1
Japan	1
Liechtenstein	1
Mexico	1
Peru	1
United Republic of Tanzania	1
Sweden	1
Venezuela	1
Yugoslavia*	1

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* The President had stated before the balloting began that votes for States outside the relevant region would not be counted; consequently, the votes for this Eastern European State should not have been included in the results.

Having obtained the required two-thirds majority, the following States were elected non-permanent members of the Security Council for a two-year period beginning on 1 January 1991: Austria, Belgium, Ecuador, India and Zimbabwe.

The PRESIDENT (interpretation from French): I congratulate the States which have been elected non-permanent members of the Security Council, and I thank the tellers for their assistance in this election.

That concludes our consideration of agenda item 15 (a).

AGENDA ITEM 3 (continued)

CREDENTIALS OF REPRESENTATIVES TO THE FORTY-FIFTH SESSION OF THE GENERAL ASSEMBLY

(b) FIRST REPORT OF THE CREDENTIALS COMMITTEE (A/45/674)

The PRESIDENT: I should like to inform members that the Permanent Representative of Kuwait, on behalf of the Arab States, has requested that consideration of agenda item 3 (b), concerning the first report of the Credentials Committee be postponed. Unless there is an objection, the Assembly will postpone consideration of that item to a later date, to be announced.

It was so decided.

AGENDA ITEM 8 (continued)

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

(a) LETTER FROM THE CHAIRMAN OF THE COMMITTEE ON CONFERENCES (A/45/475/Add.2)

(b) REPORT OF THE FIFTH COMMITTEE (A/45/665)

The PRESIDENT (interpretation from French): The Assembly will now turn its attention to document A/45/475/Add.2, which contains a letter dated 18 October 1990 from the Chairman of the Committee on Conferences addressed to the President of the Assembly. As members are aware, the Assembly, in paragraph 7 of its resolution 40/243, section I, decided that no subsidiary organ of the General Assembly may meet at United Nations Headquarters during a regular session of the Assembly unless explicity authorized by the Assembly to do so.

As indicated in the letter I have just mentioned, the Committee on Conferences has recommended that the General Assembly authorize the International Civil Service

(The President)

Commission to hold a special session from 5 to 9 November 1990. The report of the Fifth Committee on the programme budget implications of this request is contained in document A/45/665.

May I take it that the General Assembly adopts the recommendation of the Committee on Conferences?

It was so decided.

PROGRAMME OF WORK

The PRESIDENT: I should like to inform members of some changes in the tentative programme of work of the Assembly. On Wednesday, 7 November, in the morning, the Assembly will consider agenda item 29, entitled "The situation in Afghanistan and its implications for international peace and security", as well as agenda item 30, "Co-operation between the United Nations and the Organization of African Unity", and agenda item 22, "Implementation of the Declaration on the Right of Peoples to Peace".

The meeting rose at 12.15 p.m.